

REMARKS

Initially, Applicant would like to thank the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. §119, as well as receipt of certified copies of each of the priority documents upon which the claim for foreign priority is based. Applicant would also like to thank the Examiner for indicating the allowability of 9-13 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant would also like to thank the Examiner for acknowledging consideration of the document listed on the Form PTO-1449 submitted with the Information Disclosure Statement filed on May 3, 2004. Applicant notes that the Form PTO-1449 submitted with the Information Disclosure Statement filed on January 21, 2004 did not correctly reference the current application. Accordingly, Applicant has attached hereto a revised Form PTO-1449 and requests the Examiner to acknowledge consideration of the documents cited therein by providing an initialed return copy of the attached Form PTO-1449.

In the outstanding Office Action, claims 9-13 were objected-to as being dependent on a rejected base claim. Claims 1 and 2 were rejected under 35 U.S.C. §103(a) as being unpatentable over DU et al. (U.S. Patent App. Pub. 2006/0101175) in view of Official Notice. Claims 3-8 and 14-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over DU et al. in view of GARRITSEN et al. (U.S. Patent No. 6,732,222).

Upon entry of the present amendment, claims 1-19 will have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 20-36 will have been added for consideration. The cancellation of claims 1-19 should not be

considered an indication as to Applicant's acquiescence as to the propriety of any outstanding rejection. Rather, Applicant has cancelled claims 1-19 and added claims 20-36 to eliminate noted informalities, advance prosecution and obtain early allowance of the claims.

Each of the outstanding rejections has been rendered moot by the cancellation of claims 1-19. However, Applicant traverses each of the outstanding rejections insofar as claims 20-36 recite combinations of features similar to the combinations of features previously recited in claims 1-19.

DU is directed to a controller that operates when a computer system is in an inactive state, for example when in a power saving mode or when turned OFF. More particularly, DU is directed to an MP3 controller instantiated on a laptop or notebook computer playing MP3 files stored in internal memory or on an external MP3 player. DU does not disclose a universal serial bus (USB) flash disk, as recited in claim 20. In this regard, the cited portion of DU at paragraph [0032] merely teaches a universal serial bus interconnection between an external MP3 player 70 and MP3 controller 18, and not a universal serial bus flash disk. Furthermore, DU does not teach a memory slot formed in a side of the body to accommodate at least a portion of a universal serial bus (USB) flash disk, as recited in claim 20. Rather, Figure 5A of DU shows the external MP3 player 70 outside of the system 10'.

Official Notice taken by the Office Action asserts that the application and usage of memory types were commonly practiced in the art of Personal Computer Environment. However, the Office Action did not apply a reference in the same field that discloses the same physical parts having the same functionality as the subject matter to which the

claims are directed. More particularly, the Office Action did not apply a reference teaching at least a host processing device for reproducing compressed audio data, comprising a body and a memory slot formed in a side of the body to accommodate at least a portion of a universal serial bus (USB) flash disk, as recited in claim 20.

With regard to claim 21, Applicants note that claim 21 recites a combination of features similar to the combination of features previously recited in the combination of claims 3 and 11. At least in view of the Examiner's indication of the allowability of the combination of features previously recited in claim 11, new claim 21 is believed to be allowable.

With regard to claim 23, Applicants note that claim 23 recites a combination of features similar to the combination of features previously recited in the combination of claims 5 and 11. At least in view of the Examiner's indication of the allowability of the combination of features previously recited in claim 11, new claim 23 is believed to be allowable.

As set forth above, DU does not disclose or render obvious the combination of features recited in independent claim 20. Accordingly, independent claim 20 is allowable over DU for at least the reasons discussed above.

Claim 21 is allowable for reasons similar to those noted for the allowability of claim 20 in addition to reasons related to its own recitations, including those set forth above. Accordingly, independent claim 21 is allowable for at least the reasons discussed above.

Claim 23 is allowable for reasons similar to those noted for the allowability of claims 20 in addition to reasons related to its own recitations, including those set forth

above. Accordingly, independent claim 23 is allowable for at least the reasons discussed above.

Claims 22 and 24-36 are each allowable at least for depending, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own recitations.

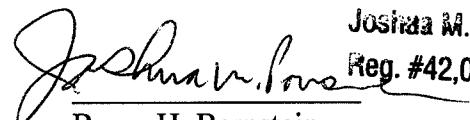
Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

At least in view of the herein-contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding objection and rejections, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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December 10, 2007  
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